

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

RECEIVED

MAY 16 2001

FCC MAIL ROOM

In the Matter of:

)
)
)
)
)
)
)

CC Docket No. 96-45

Federal-State Joint Board
on Universal Service

**COMMENT ON PROPOSED RULE-MAKING AND ORDER
INCLUDING AN INITIAL REGULATORY FLEXIBILITY ANALYSIS
RELEASED APRIL 30, 2001**

NOW COMES, the SOUTH COOK EDUCATION CONSORTIUM, by and through its Counsel, WILLIAM C. KLING and ANCEL, GLINK, DIAMOND, BUSH, DiCIANNI & ROLEK, P.C., and in response to the proposed rule-making and order ("Proposed Rule"), which includes an Initial Regulatory Flexibility Analysis, relative to the revised method for allocating discounts to schools and libraries under the federal universal service mechanism, submits the following comments for the Record:

BACKGROUND

The South Cook Education Consortium ("Consortium") was created in 2000 through intergovernmental agreement pursuant to the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, and the Illinois Constitution, Article VII, Section 10. The Consortium is comprised of eight elementary school districts on the Southern urban fringe of Chicago, serving students in communities including Harvey, Markham, Posen, Robbins, Ford Heights, Dolton, Riverdale, Hazel Crest, Oak Forest, South Holland and Dixmoor, Illinois. The Consortium member-districts include General George Patton S.D. 133, Posen-Robbins S.D. 143½, Prairie Hills S.D. 144, West Harvey-

No. of Copies rec'd 074
List ABCDE

Dixmoor S.D. 147, Dolton S.D. 148, South Holland S.D. 151, Harvey S.D. 152, and Ford Heights S.D. 169. The Consortium member-districts include approximately 50 schools and educate approximately 20,000 predominantly African-American students living at or below poverty. A full description of the Consortium demographics can be found in its Form 471 Filing for Year 4.

The Consortium was created to develop a regional approach to true comprehensive school reform and to support innovative initiatives in the areas of technology enhancement, whole family education and middle school workforce preparation. The Consortium is engaged in high-level public-private partnerships to further its mission. The Consortium is working in conjunction with the State Superintendent of Instruction and the Illinois State Board of Education to: 1) increase coordinated teacher technology training through graduated, standards driven coursework; 2) support member-districts' participation in Comprehensive School Reform Demonstration Projects with New American Schools and other designated design models; 3) establish an intra- and interdistrict baseline for wiring, hardware and networking protocol; 4) provide Consortium-wide integrated technology support; 5) create a clearinghouse for web-based educational content and assessment tools.

The Consortium, in partnership with the Office of Governor George Ryan, the State Board of Education, and PowerUP a national foundation dedicated to bridging the digital divide by establishing after-school programs, rolled out 45 state-of-the art after-school computer labs over the past six months. Indicators of success include implementation of labs being used by over 6000 students and community members; employment of community-based lab facilitators for each lab, and successful public/private partnership to foster long-term systemic educational change.

The Consortium filed a Form 471 for Year 4, the first such request made by the Consortium, pursuant to section 254 of the Telecommunications Act which, under the universal service support mechanism, provides schools, libraries, and consortia that

include eligible schools and libraries, the ability to apply for discounted eligible telecommunications, Internet access, and internal connections services.

COMMENT

In general, the Consortium supports a needs-based approach to allocating the scarce resources available for shared and site-specific services under the Universal Service provisions, particularly those necessary to support internal connections. The Consortium raises two issues for consideration and review prior to the FCC issuing its final order revising the method by which funds are allocated.

1. Internal connections requested but not fully funded in Year 3 or before should remain eligible for inclusion in Year 4 funding based solely on the District's discount rate.

First, many school districts were not fully funded for all requested internal connections in Year 3 or before. These districts find themselves in the predicament of non-uniform service provision district-wide. In order to meet district and state objectives contained in district technology plans, school districts need to provide the same or substantially similar telecommunications, Internet access, internal connections and support in each school in the district. The Consortium respectfully suggests that districts be provided access to Year 4 funding in an amount proportional to the projects not funded in previous years based upon the district's discount rate. .

2. School Districts engaging in new construction should be eligible for internal connections for Year 4 and beyond solely based on the District's discount rate.

Second, eligible school districts in the process of planning and constructing new schools not previously included in e-rate applications should be permitted to apply for funding for internal connections in Year 4 for the new schools based upon the districts' discount rates. States such as Illinois have been providing substantial state-wide construction grants for school building projects, particularly in school districts serving high-poverty students. School districts engaged in these building programs need the

budgetary security to know that the new building will have the same telecommunications, Internet service, and internal connections as other schools in the district. Typically, integrating technology into building plans for the new schools is becoming a priority as school districts strive to provide technology-driven instruction and data collection. The Consortium respectfully suggests these new schools should be eligible for funding at the districts' discount rate.

CONCLUSION

WHEREFORE, the South Cook Education Consortium respectfully requests the FCC to consider modifying the proposed rule to include exceptions for portions of projects not funded in previous funding years, and for newly constructed school buildings.

RESPECTFULLY SUBMITTED,
SOUTH COOK EDUCATION CONSORTIUM



Consortium Counsel

William C. Kling
ANCEL, GLINK, DIAMOND, BUSH, DiCIANNI & ROLEK, P.C.
140 South Dearborn Street, Suite 600
Chicago, Illinois 60603
(312) 782-7606